

**United States District Court**  
**EASTERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA,**

*Plaintiff,*

**v.**

**DENNIS DEWAYNE CANTRELL,**

*Defendant.*

**CRIMINAL COMPLAINT**

**Case No.** 20-MJ-126-SPS

I, Kevin Fox, the undersigned complainant, state that the following is true to the best of my knowledge and belief.

On or about May 14, 2020 , in the Eastern District of Oklahoma, defendant violated Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B) and Title 18, United States Code, Section 924(c), offenses described as follows: Possession with Intent to Distribute Heroin and Possession of a Firearm in Furtherance of a Drug Trafficking Crime

I further state that I am a Task Force Officer with Drug Enforcement Administration, and that this complaint is based on the following facts:

(See attached Affidavit of Kevin Fox, which is attached hereto and made a part hereof by reference.)

☒ Continued on the attached sheet.

  
Kevin Fox, TFO DEA  
Complainant

Sworn to before me and subscribed in my presence at: MUSKOGEE, OKLAHOMA

Date: 8/21/2020

Steven P. Shreder  
UNITED STATES MAGISTRATE JUDGE  
Name and Title of Judicial Officer



Signature of Judicial Officer



**AFFIDAVIT**

1. I, Kevin Fox, a Task Force Officer with the Drug Enforcement Administration, having been duly sworn, do depose and state the following:
2. I am a Task Force Officer with the Drug Enforcement Administration (DEA), and have been so since April 2017. I have been employed by the District 18 District Attorney's Office since July 2015 as a Drug and Violent Crimes Investigator. In addition to the DEA, I am assigned to the Drug and Violent Crimes Program with the District 18 District Attorney's Office.
3. I have been a sworn full time police officer for the State of Oklahoma since 2013. I have participated in and supported numerous narcotic investigations involving the illegal manufacturing, possession, sale, distribution of many different types of controlled substances.
4. As a Task Force Officer with the DEA, I am an investigative law enforcement officer of the United States of America within the meaning of Section 878 of Title 21, United States Code, that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 878 of Title 21, United States Code.
5. I am familiar with the facts and circumstances of this investigation as a result of my personal participation in the investigation referred to in this affidavit and information summarized in reports I have reviewed and from discussions with other experienced law enforcement officers.
6. Based upon the following facts, I believe that probable cause exists to show that **Dennis Dewayne CANTRELL (CANTRELL)**, DOB XX/XX/1990 and SSN XXX-XX-1909, did commit the offense of Possession with Intent to Distribute Heroin, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B); and Possession of a Firearm in Furtherance of a Drug Trafficking Crime, in violation of 18 U.S.C. § 924(c). Since this affidavit is being submitted for the limited purpose of establishing probable cause, Affiant has not included each and every known fact regarding the instant investigation. More specifically, Affiant has set forth only pertinent facts that Affiant believes are necessary to establish probable cause.

7. On May 14, 2020, McAlester Police Officer Chuck Sutterfield knew that **CANTRELL** had outstanding Oklahoma felony warrants for his arrest for Trafficking Narcotics and Possession of a Firearm after Felony Conviction. Officer Sutterfield also knew **CANTRELL** did not have a valid driver's license. On that same day, at approximately 7:00 P.M., Officer Sutterfield observed **CANTRELL** operating a silver Jeep automobile near 1<sup>st</sup> Street and Filmore Avenue in McAlester, Oklahoma, located within the Eastern District of Oklahoma. Officer Sutterfield initiated a traffic stop of **CANTRELL**.
8. Upon approaching the vehicle, Officer Sutterfield observed **Lacy Denise SHUMWAY** as the only other passenger of the automobile. **CANTRELL** and **SHUMWAY** exhibited signs of nervousness and even more so when Officer Sutterfield asked if there would be anything in the vehicle that would cause his K9 to give a positive alert for the presence of illegal substances. Officer Sutterfield asked **CANTRELL** if he had any weapons on him and **CANTRELL** stated no. **CANTRELL** was detained pending confirmation of the outstanding warrants.
9. Following confirmation of the arrest warrants, Officer Sutterfield read **CANTRELL** his Miranda Warning and **CANTRELL** agreed to speak with Officer Sutterfield. Officer Sutterfield advised **CANTRELL** that he was going to deploy his K9 around **CANTRELL**'s vehicle and asked if **CANTRELL** had marijuana, methamphetamine, cocaine or heroin in the vehicle. **CANTRELL** replied that he probably had all of that in the vehicle. Officer Sutterfield made contact with **SHUMWAY** and had her step out of the vehicle. **SHUMWAY** was questioned about any narcotics in the vehicle. **SHUMWAY** stated that she had paraphernalia in her purse.
10. Officer Sutterfield deployed his K9 Hunter and worked him around the vehicle. Hunter made a positive alert to the odor of narcotics near the rear hatch of the vehicle. Officer Sutterfield and McAlester Police Officer Kevin Bishop conducted a search of the vehicle.
11. While searching the back seat of the vehicle, Officer Bishop located a lockbox inside a green suitcase on the passenger side. **CANTRELL** provided Officer Sutterfield with 832 as the code to unlock the box. **CANTRELL** also told Officer Sutterfield that the box contained a firearm, heroin, and other items. Officer Bishop accessed the lockbox

with the code provided by **CANTRELL** and found a 9mm Ruger semi-automatic handgun loaded with 17 rounds of ammunition, four packages containing suspected “tar” heroin, a double-wrapped clear plastic bag containing suspected methamphetamine, a bag with multiple colored tablets, a glass smoking pipe, and a set of operational digital scales. The dispatcher informed Officer Sutterfield that the handgun was stolen. Officer Sutterfield arrested **CANTRELL** on additional state charges for Trafficking Heroin and Methamphetamine, and Possession of a Firearm after Felony Conviction.

12. During transportation to the Pittsburg County Jail, **CANTRELL** stated he thought he had 70 to 80 grams of methamphetamine, 129 grams of heroin and approximately 70 ecstasy tablets.
13. Officer Sutterfield field tested the suspected methamphetamine and received a positive indication for the presence of methamphetamine. Drug Enforcement Administration Laboratory tests confirmed the tar-like substance to contain heroin with a total net weight of 124.4 grams.
14. On May 15, 2020, this Affiant conducted a custodial interview of **CANTRELL** at the Pittsburg County Jail. **CANTRELL** was read and then waived his Miranda rights. During the interview, **CANTRELL** admitted to possessing the heroin with the intent to distribute it.
15. Based upon my training and experience, the quantity of heroin seized from **CANTRELL** is indicative of possession with intent to distribute the heroin and is of a greater quantity than a heroin user would normally possess solely for personal use. Further, a loaded handgun stored with distribution amounts of heroin and other controlled substances indicates the handgun was possessed for the purposes of facilitating the distribution of controlled substances to include heroin. This Affiant believes that probable cause exists to show that **Dennis Dewayne CANTRELL**, did knowingly and intentionally possess with intent to distribute 100 grams or more of a mixture or substance containing a detectable amount of heroin in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B); and Possession of a Firearm in Furtherance of a Drug Trafficking Crime in violation of 18 U.S.C. § 924(c) and Affiant requests a warrant issue for the arrest of **CANTRELL** for the commission of said crimes.



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Kevin D. Fox  
Task Force Officer  
Drug Enforcement Administration

SWORN AND SUBSCRIBED to before me on this 21<sup>st</sup> day of August, 2020.



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STEVEN P. SHREDER  
United States Magistrate Judge